

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE  
ENERGY, LLC, a Delaware limited liability  
company,

Plaintiff,

v.

VICTORY ENERGY  
OPERATIONS, LLC, a Delaware limited  
liability company,

Defendant.

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: CIVIL ACTION  
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: No. 04-CV-325 (ERIE)  
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: Judge Sean J. McLaughlin  
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**ORDER**

AND NOW, this \_\_\_\_\_ day of April, 2007, upon consideration of Plaintiff's Motion For Legal Determination that Licensor Had the Right to Revoke Consent to Deviate From Annex I, it is hereby ORDERED, DECREED AND ADJUDGED that Plaintiff's Motion is GRANTED.

BY THE COURT:

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McLaughlin, J.